

SENATE BILL 3290
By Miller J

AN ACT to amend Chapter 82 of the Private Acts of 1965; as amended by Chapter 137 of the Private Acts of 1969; and any other acts amendatory thereto, relative to the establishment of permit fees in Monroe County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 82 of the Private Acts of 1965; as amended by Chapter 137 of the Private Acts of 1969; and any other acts amendatory thereto, relative to the establishment of permit fees in Monroe County is amended by deleting Section 1 in its entirety and by substituting instead the following language:

Section 1. (a) Any person, partnership or corporation desiring to erect, place, install, construct, reconstruct or to have erected, placed, installed, constructed, or reconstructed any structure in Monroe County, and any person, partnership or corporation desiring to alter or have altered any existing structure in Monroe County where the value of such alteration is greater than five thousand dollars (\$5,000) shall apply to the Monroe County clerk for a building permit for such erection, construction, reconstruction, or alteration. The term "structure" shall include mobile homes and manufactured housing.

(b) The application shall be in a form to be prescribed by the county clerk and shall contain the following information:

(1) whether the proposed work is to be new construction or the alteration of an existing structure;

- (2) the location or address of the proposed construction or alteration;
- (3) the identity of the owner or owners of the premises;
- (4) the cost of the completed structure, in the case of new construction, or in the case of the alteration of an existing structure, the value of the structure before and after the alterations; and
- (5) such other information as the county clerk may prescribe.

(c) Upon proper application duly made and filed, the county clerk shall issue a building permit, file a copy in his or her office and cause a copy to be filed in the office of the county assessor of property, and the office of Monroe County E-911, so that the fact of such erection, construction, or alteration shall be noted for their records.

SECTION 2. Chapter 82 of the Private Acts of 1965; as amended, is amended by deleting Section 2 in its entirety and by substituting instead the following language:

Section 2. The Monroe County Board of County Commissioners shall have the power and the authority to determine and establish fees to be charged for permits, which fees may be changed or altered as said county commissioners deem proper and necessary.

SECTION 3. Chapter 82 of the Private Acts of 1965; as amended, is amended by deleting Section 3 in its entirety and by substituting instead the following language:

Section 3. (a) It is unlawful for any municipality, county, cooperative or utility district to furnish utility services to any property on which a building or other structure is being erected, placed, installed, or constructed, or to such building or other structure unless the building permit required by this act is obtained and displayed thereon. Violation of this act shall be punished as a civil penalty in an amount of not more than one thousand dollars (\$1,000).

(b) It shall be unlawful to erect, place, install, construct, reconstruct, or alter any building, structure or facility where the value of the alteration is greater than five

thousand dollars (\$5,000) without securing such permit and paying the fee prescribed by the board of county commissioners under the authority of this act. Any person, firm or corporation violating any such regulations or provisions of this act shall be assessed with a civil penalty of an amount not to exceed one thousand dollars (\$1,000).

(c) This permit requirement shall not apply to the erection, placement, installation, construction, reconstruction, or alteration of any structure in a municipality requiring a similar permit if a copy of the municipal permit is filed with the county clerk and if a fee of ten dollars (\$10) is paid to cover the cost of registering the permit in the office of the county clerk, the assessor of property, and the E-911 office.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Monroe County on or before the next regular meeting of such board of county commissioners occurring more than thirty (30) days after its approval by the governor of the state of Tennessee or after its otherwise effective date. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body and certified by him or her to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective on July 1, 1996, upon being approved as provided in Section 4.